

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

JEFFREY MARTIN FELDMILLER and  
SANDRA LEE FELDMILLER

Debtors.

Lead Bankr. Case No. 15-11089-TPA

Chapter 13

RONDA J. WINNECOUR, CHAPTER 13  
TRUSTEE

Movant

v.

NEWREZ, LLC D/B/A SHELLPOINT  
MORTGAGE SERVICING,

Respondent

**CERTIFICATION OF**  
**BRIAN C. NICHOLAS**

I, Brian C. Nicholas, Esq., hereby certify as follows::

1. I am the Managing Shareholder responsible for KML's Bankruptcy Department. I am an attorney admitted in the Western District Bankruptcy Court of Pennsylvania and I am duly authorized to make this Certification.
2. I make this Certification because I am responsible for the management of KML's Bankruptcy Department and am familiar with the specific facts of this matter. .
3. A status conference was scheduled in this matter for December 9, 2020.
4. Bonial and Associates, P.C., (BPC) main counsel for New Rez, LLC d/b/a Shellpoint Mortgage Servicing (NewRez) referred this matter to KML to appear at the December 9, 2020 status conference.

5. A paralegal at KML acknowledged the referral from Bonial and Associates but failed to properly load the referral information into KML's case management system. As such, the matter did not fall onto KML's internal reporting.
6. Further, while KML did receive ECF notice regarding the hearing, when reviewing the notice, KML's associate attorney did not believe this matter was being handled by KML as KML did not file the Response to the Notice of Final Cure payment, nor did KML's internal case management system reflect that KML was handling this matter due to the failure of the paralegal to properly board the referral.
7. KML did not file a response to the matter and did not appear at the December 9, 2020 status conference, resulting in the issuance of the subject Order to Show Cause.
8. KML, through its attorneys, has appeared many times before Your Honor and the other judges in this district. This was not to the standard KML has or intends to practice in this district (or any district for that matter). We apologize to the Court, the Court Staff and the Trustee for the extra work caused by this matter.
9. We are reviewing our internal procedures and policies to see what additional steps we can implement to ensure that this does not happen again. We have discussed the matter with the paralegal that made the mistake and have conducted additional training to the entire department.

Date: 1/12/2020

/s/ Brian C. Nicholas, Esquire

Brian C. Nicholas, Esquire

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